

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WHOLESALE, INC.,

Plaintiff,

v.

Case Number 17-13306

Honorable David M. Lawson

7 AUTO SALES HP, LLC, GEORGE
SINAWI, and JEREMY ZEMACH,

Defendants,

and

JEREMY ZEMACH,

Counter-plaintiff,

v.

WHOLESALE, INC.,

Counter-defendant,

and

JEREMY ZEMACH,

Cross-plaintiff,

v.

7 AUTO SALES HP, LLC and
GEORGE SINAWI,

Cross-defendants..

**ORDER GRANTING IN PART PLAINTIFF'S MOTION FOR ENTRY OF DEFAULT
JUDGMENT AGAINST DEFENDANT JEREMY ZEMACH**

This matter is before the Court on the plaintiff's motion for entry of a default judgment against defendant Jeremy Zemach. The Court has reviewed the plaintiff's motion and the record of proceedings and heard oral argument on April 18, 2019. The defendant did not file a response to the motion, but he appeared personally at the hearing. At the end of the hearing, after

considering the presentations of the parties, the Court announced from the bench its decision to grant in part the plaintiff's motion.

Accordingly, it is **ORDERED** that the plaintiff's renewed motion for entry of default judgment (ECF No. 66) is **GRANTED IN PART** for the reasons stated on the record.

It is further **ORDERED** that the defendant's answers to the complaint and the amended complaint (ECF No. 24, 38) are **STRICKEN**, and the Clerk of Court shall enter the default of defendant Jeremy Zemach.

It is further **ORDERED** that defendant Jeremy Zemach's counter-claim against plaintiff Wholesale, Inc. is **DISMISSED**.

It is further **ORDERED** that the plaintiff's motion for default judgment is **DENIED** without prejudice in all other respects. The plaintiff promptly shall file a motion for entry of judgment on defendant Zemach's default supported by appropriate supplemental proofs as to the amount of damages incurred.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Date: April 19, 2019

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on April 19, 2019.

s/Susan K. Pinkowski
SUSAN K. PINKOWSKI